

- 221.282 Statement of filing with foreign governments to be shown in air carrier's tariff filings.
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- 221.700 Actions under assigned authority and petitions for review of staff action.

AUTHORITY: 49 U.S.C. 40101, 40109, 40113, 46101, 46102, Chapter 411, Chapter 413, Chapter 415 and Subchapter I of Chapter 417.

SOURCE: ER-439, 30 FR 9439, July 29, 1965, unless otherwise noted.

Subpart A—General

§ 221.1 Applicability of this part.

All tariffs and amendments to tariffs of air carriers and foreign air carriers filed with the Board pursuant to section 403 of the act shall be constructed, published, filed, posted and kept open for public inspection in accordance with the regulations in this part.

§ 221.2 Board may direct reissue of publications.

The Board for good cause shown, may direct the reissue of any tariff publication, concurrence, or power of attorney at any time.

§ 221.3 Carrier's duty.

(a) *Must file tariffs.* Except as set forth in paragraph (d) or (e) of this section, every air carrier and every foreign air carrier shall file with the Board, and print, and keep open to public inspection, tariffs showing all rates, fares, and charges for air transportation between points served by it, and between points served by it and points served by any other air carrier or foreign air carrier, when through service and through rates shall have been es-

tablished, and showing to the extent required by regulations of the Board, all classifications, rules, regulations, practices, and services in connection with such air transportation. Tariffs shall be filed, posted, and published in such form and manner, and shall contain such information as the Board shall by regulation prescribe. Any tariff so filed which is not consistent with section 403 of the act and such regulations may be rejected. Any tariff so rejected shall be void.

(b) *Must observe tariffs.* No air carrier or foreign air carrier shall charge or demand or collect or receive a greater or less or different compensation for air transportation or for any service in connection therewith, than the rates, fares and charges specified in its currently effective tariffs; and no air carrier or foreign air carrier shall, in any manner or by any device, directly or indirectly, or through any agent or broker, or otherwise, refund or remit any portion of the rates, fares, or charges so specified, or extend to any person any privileges or facilities, with respect to matters required by the Board to be specified in such tariffs, except those specified in such tariffs.

(c) *No relief from violations.* Nothing contained in this part shall be construed as relieving any air carrier or foreign air carrier from liability for violations of the act, nor shall the filing of a tariff, or amendment thereto, relieve any air carrier or foreign air carrier from such violations or from violations of regulations issued under the Act.

(d) *Exemption authority.* Air carriers and foreign air carriers, both direct and indirect, are exempted from the requirement of section 403 of the Act and any requirement of this chapter to file, and shall not file with the Board, tariffs for operations under the following provisions:

(1) Part 291, *Domestic Cargo Transportation*, except to the extent noted in § 291.31(a)(1);

(2) Part 296, *Indirect Air Transportation of Property*;

(3) Part 297, *Foreign Air Freight Forwarders and Foreign Cooperative Shippers Association*;